

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**LAURA GANZERO, RACHELLE
HEMMING, and MARCIA JOHNSON** on
behalf of herself and others similarly
situated,

INDEX NO. 07 CIV 5940 (DAB)

Plaintiff,

- against -

**BENSUSAN RESTAURANT CORP., d/b/a
BLUE NOTE JAZZ CLUB, STEVE
BENSUSAN, and DANNY BENSUSAN**

Defendants.

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JOINT REPORT OF MEET AND CONFER PURSUANT TO FRCP § 26

COME NOW the parties to the above-captioned action, and pursuant to and in accordance with FRCP § 26(f), the Parties submit this report of their August 21, 2007 meeting:

1. Parties will make initial disclosures pursuant to FRCP § 26(a)(1) by October 25.
2. The discovery deadline shall be determined by the Court after a trial date is scheduled pursuant to a case management conference.
3. Data stored exclusively electronically shall be produced in the form in which it is stored. Defendants have been advised to implement adequate data preservation protocols for electronically stored data.

4. When either party is notified that privileged material has been sent inadvertently during discovery, the privileged material shall be returned immediately and the receiving party shall not retain copies of the privileged material.

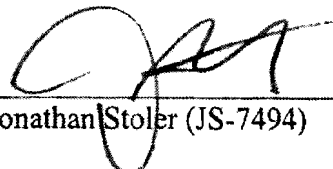
Dated: October 23, 2007
New York, New York

Respectfully submitted,

JOSEPH & HERZFELD LLP

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